IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 19717 of 2003(V)

PETITIONERS:

---

1. **E.CHANDRIKA, PRESERVATIVE SUPERVISOR, CENTRAL ACHIEVES, FORT, THIRUVANANTHAPURAM**

2. **REMANI.C.A., OFFICE OF THE ADDITIONAL SECRETARY, FINANCE DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM**

3. **OMANA A.N., C.A.TORISOM DEPARTMENT, OFFICE OF DEPUTY SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

4. **GIRIJA P.V., RESEARCH ASSISTANT, RRI, POOJAPPURA, THIRUVANANTHAPURAM**

5. **M.P.BHARGAVI .C.A. TO S.P., SPL.BRANCH CID HEAD QUARTERS, PATTOM, THIRUVANANTHAPURAM.**

6. **C.PADMAVATHY, ASST.MANAGER, FCI, DISTRICT OFFICE, KOLLAM-1**

7. **K.RAJAMMA, H.S.A., GHS FOR GIRLS, VAZHUTHACAUD, SASTHAMANGALAM P.O.**

8. **S.USHA, BINDER, GOVT. CENTRAL PRESS, THIRUVANANTHAPURAM.**

9. **MINI.M.P. PEON, OFFICE OF THE DEPUTY SECRETARY, CENTRAL AFFAIRS DEPARTMENT, GOVT. SECRETARIAT, THIRUVANANTHAPURAM**

10. **ANITHAKUMARI, PEON, K.P.S.C., PATTOM, THIRUVANANTHAPURAM.**

BY ADV. SRI.S.CHANDRASENAN
SRI.P.K.SOMARAJAN
SRI.M.R.SARIN

W.P.(C) NO.19717/2003

RESPONDENTS:
----

1. **STATE OF KERALA, REPRESENTED BY PRINCIPAL SECRETARY, PUBLIC WORKS DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.**

2. **THE PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, THIRUVANANTHAPURAM.**

3. **THE CHIEF ENGINEER, BUILDING AND LOCAL WORKS, P.W.D., TRIVANDRUM.**

BY GOVERNMENT PLEADER SMT. DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON I.A. NO. 6217/2003 IN OP. NO.19717/2003

DISMISSED

14.03.2007 **SD/- KURIAN JOSEPH, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GOVERNMENT ORDER NO.G.O.(MS) 46/02/PWD DT.24.9.02 ISSUED BY THE 1ST RESPONDENT.

EXT.P2:- COPY OF THE ORDER IN CMP. NO.53490/02 IN OP NO.31590/02 BEFORE THE HONOURABLE HIGH COURT OF KERALA.

EXT.P3- COPY OF THE REPRESENTATION DT. NIL.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

W.P.(C)No.19717 of 2003

Dated 14th March, 2007.

J U D G M E N T

Petitioners are occupants of Government servants' hostel at various places. They approached this Court aggrieved by the alleged unconscionable enhancement of rent. This Court has permitted continuance of occupation by paying rent as enhanced by 100%. Learned Government Pleader submits that the enhancement is in view of the expenses incurred for maintaining the hostel. However, the contention of the petitioners is that in any case, enhancement beyond 100% is certainly unreasonable, particularly in view of the pathetic situation of the building. Learned counsel for the petitioners prays for an opportunity to move the Government pointing out the condition of the building, need for urgent repair and also that in any case, the enhancement beyond 100% is unjust and unreasonable. In the above circumstances, the writ petition is disposed of as follows :-

Petitioners may approach the Government either individually or through their association within a period of two months from today. Thereafter, the Government will consider the

matter with notice to the associations/first signatory to the representations, and pass appropriate orders thereon in accordance with law, adverting to the contentions taken by the petitioners, within another four months. Subject to the petitioners thus approaching the Government within a period of two months from today, the interim order passed by this Court will continue till orders are passed by the Government as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J

W.P.(C)No.19717 of 2003 V

J U D G M E N T

Dated 14th March, 2007.